

CONTINUATION OF AUGUST 27 HUMAN RESOURCES MEETING

August 28, 2001

Chairman Lopez called the meeting back to order.

The Clerk called the roll.

Present: Aldermen Lopez, Sysyn, Shea, Vaillancourt, O'Neil

Messrs: V. Lamberton, D. Muller

Chairman Lopez addressed Item 3 of the agenda:

Revise ordinances 33.046 and 33.080 to conform with the Federal Uniform Services Employment and Reemployment Rights Act of 1994.

Ms. Lamberton provided revised copies of the ordinances to the Committee members.

Alderman Vaillancourt asked could you just highlight the differences.

Ms. Lamberton stated the differences are that in 1994 after the Gulf War the US Congress changed several of the laws that were outdated from the Korean War or World War II. If you look at the first one, 33.080, Military Service, the current language in the ordinance is really improper because it limits an employee from being active with the reserves or the Army for no more than 15 days. In fact, you cannot do that. That is contrary to federal law. Not that that is what is going on but at least our ordinance should reflect what the law says. That was a concern. What I have done is kind of started over here and if you look at the bottom to the proposed it talks about an employee who holds a position is expected to continue indefinitely or for a significant period of time. That language is different, again, from the current language that talks about permanent employees or full-time officials. In speaking with David Houle, who is the Director for the Veterans for New England, the definition of an employee again is this. Alderman O'Neil was concerned about that as well. How are we defining an employee because I had mimicked the language from up above just saying permanent employees, which, in fact is not the case. This language comes right out of their information. Then it goes on to say basically the same. Currently, employees can get paid...if they are entitled to leave time with pay now they can receive up to 10 days of paid military

leave per training year. The training year is based on the Federal law, which is October 1 of every year until September 30. If an employee runs out of the paid time, he or she can opt to go without pay or they can opt to use their other accrued leave, such as vacation time. However, we cannot deny them the time off whereas in the current ordinance it says we deny after 15 days. That is the essence of that. In 1994, the language also got changed to talk about the period of time an individual is activated or in the military and how soon they have to come back to work. There were lots of problems getting some of the Gulf War veterans back to work for whatever reason. So what they did as you can see on the bottom is they broke that into three categories of being away from work. If an individual is in the military the first time out, which again was a concern of Alderman O'Neil's and rightfully so, I added that language in as well that just for the first time out where it says it is not cumulative beyond five years. If somebody goes into 20 years, they don't have an entitlement to their job back. Only if they are activated or they sign up for the military for five years or less. The first time out they return to their former position or a like position as long as they still can meet the criteria for that position. Let's say somebody was a truck driver and had a CDL and because they were out of the country their license expired. Well, certainly we would let them have the opportunity to renew that license. Let's say for some reason they were in a job that required a phenomenal amount of physical work and unfortunately they were a quadriplegic or something, we would certainly do our best to get them something but we certainly couldn't guarantee them the equivalent job or their old job back if that job happened to require that they be at a certain physical level. Again, Alderman O'Neil was concerned that I hadn't entered in language about hardship and I have added that in, meaning it is a hardship to the City or let's say the City had completely eliminated those types of positions. Then we would look for something for the employee but if we couldn't find anything then we wouldn't have to take them back.

Ms. Lamberton stated there are two ordinances. One deals with time off, which we just discussed. The other deals with now the military person is returning to work and how much are we going to pay him. There is a law that is described as the escalator effect and that essentially says that they would come back...assuming now that they have met the criteria to come back, which again is defined up above that says an employee who was in a position that was expected to continue indefinitely and who was a member of the National Guard reserve component or the armed forces, they have to come back within 90 days from the date of discharge and they have to have been discharged honorably or in a general discharge. So, they have met all that criteria and now I have their job for them or an equivalent job. How much am I going to pay them? Well let's pretend that they were away for five years. The Federal law says that you pay them the steps as if they had been physically working here. So, say they left at Step 1. You would bring them back at Step 6. That is what this ordinance says.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to approve the ordinances revised 8/28/01.

Chairman Lopez addressed Item 4 of the agenda:

Ordinance Amendment:

"Amending Sections 33.024, 33.025 and 33.026 (Security Officer) of the Ordinances of the City of Manchester."

Alderman O'Neil moved to approve the ordinance amendment. Alderman Sysyn, duly seconded the motion.

Alderman Shea asked are these the people who are under the City Clerk now.

Chairman Lopez answered yes.

Chairman Lopez called for a vote on the motion. There being none opposed, the motion carried.

Chairman Lopez addressed Item 5 of the agenda:

Employee Bonus Report referred to Committee for review and report back to the Board of Mayor and Aldermen.

Chairman Lopez stated I have discussed this with the HR Director and there is a special committee that the Mayor has appointed and we are waiting for their report.

On motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to table this item.

Chairman Lopez addressed Item 6 of the agenda:

New hire/termination reports submitted for informational purposes only.

On motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to receive and file this item.

TABLED ITEMS

7. Ordinance Amendments:

"Amending 33.076 (Special Leave) of the Code of Ordinances of the City of Manchester."

Providing for amendment to Section D as follows:

"In addition to other leaves authorized by this subchapter, a department head and/or the Human Resources Director with the approval of the Mayor, may authorize an employee to be placed on administrative leave with or without pay in the interest of the City, for a period or periods not to exceed twenty work days in any calendar year."

"Amending Section 33.076 (Special Leave) of the Code of Ordinances of the City of Manchester."

Providing for amendment to Section D as follows:

"The Human Resources Director may recommend to the Mayor for his approval up to twenty (20) days of administrative leave, for employees, for purposes that are beneficial to the City. Such leave is chargeable to the employee's department."

"Amending Section 33.048 (Advancements within Pay Range) of the Code of Ordinances of the City of Manchester."

This item remained on the table.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to remove Item 8 from the table.

Communication from Alderman Lopez advising of previous actions relative to ordinance amendments submitted by the Mayor, and requesting the Board allow the Committee on Human Resources/Insurance to review the administrative and financial functions of the city with an eye towards improving the organizational structure and efficiency of these operations and associated internal controls with a recommendation to be brought forward to the full Board.

Chairman Lopez stated I wanted to take this off the table and inform the Committee that I did and have been working to try to find volunteers from the list

that was given to us by Kevin. We can always table this item again. There has only been one volunteer out of the nine people here on the list. Raymond Dougdale was the only one who would volunteer to come in and look at the financial situation of the City. I don't think we are going to get too many volunteers. He thinks two or three people could do it but none of the other people want to do it. I don't know what the Committee wants to do at this point. Do you want to table it and get Kevin in here to do some more research or turn it over to the new HR Director?

Alderman O'Neil asked what is your goal with all of this.

Chairman Lopez answered the intent, along with the Finance Director, was to bring some people in who were qualified to look at the organization of the Finance Department for the entire City. For example, the system that we have set-up where we have 26 Business Service Officers out there, the structure of the Finance Department to see if this is the best way to run a City and get qualified people in here to take a look at that. There is some belief that there should be a finance center for the City instead of everybody doing the books. This was one of the recommendations that Kevin came forward with. He did not want his people to do it. He wanted other people to come in and say hey we have the greatest system in the world and don't change it or this is a bad system that you have. One of the things was the auditor should not be assigned to the Finance Department. It still is assigned to the Finance Department. We can put this back on the table and get Finance back in here if we want.

Alderman O'Neil stated if there are not enough volunteers to look at this then we might as well receive and file it and start from scratch. I certainly know Mr. Dougdale and he is very talented but it is too big a task for one person to take on.

Chairman Lopez stated maybe we should turn it over to the new HR Director and have her give us her recommendation.

Alderman O'Neil asked do you want to put it back on the table then.

Alderman Shea stated what I had in mind was the City conducts what they call an external audit but there has really been no internal audit. Again, I am not an accountant but I think the difference between one and the other is an external audit is when somebody comes in and here is the book and I show the auditor the book and they audit them. An internal audit is a little different. Somebody comes in and looks through the books without necessarily being handed the books. I think that was one of the concerns that we had because we have no questions about the honesty and integrity of the Finance Department but it is just that when an audit is done the auditors are examining their own books in the sense that they are auditing

their auditing. There isn't that objective viewpoint that you might gain. I think that you mentioned, too, Chairman that we do have roughly 52 people doing financial work in this City. There are a lot of people doing financial work whether it be from the Fire Department or the Police and I think the School District has a little bit of distinction here until they become a department again but there are so many people doing the finances that it is difficult obviously to keep track of this in a sense that too many cooks spoil the broth. I think there are too many Chiefs and not enough Indians here in a sense. I think that is what your concern was, Chairman. Do we need all of these financial people doing work that is probably being duplicated and can we eliminate, through attrition or some other way, some work. That is my understanding of this.

Alderman Vaillancourt stated instead of putting it back on the table why don't we just refer it to the Human Resource Director and ask for her to come back with a recommendation at the next meeting.

Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. There being none opposed, the motion carried.

9. Communication from Chief of Police regarding transfer of juvenile court prosecutor's responsibilities from the Police Department to the City Solicitor's Office.

This item remained on the table.

NEW BUSINESS

Alderman O'Neil stated I was made aware back in the Spring of Dr. Rob Confisori who is in Manchester. One of the programs he works on is to improve athletic and occupational performance and he does it a lot with the private sector in trying to cut down injuries, etc. I thought it might be helpful...I have had his card for a number of months but there hasn't been an opportune time...if we may want to invite him in in the future. Where our workman's compensation costs are so high and we are self-insured...he presently does a lot of work with the Police and Fire Department. Those are certainly two of the departments that have the highest costs in workman's compensation and health issues to us. Maybe we could just invite him to a future meeting and let him make a brief presentation about what he is doing and where he may be able to help the City save some money in the long run.

Chairman Lopez replied I think that is a good idea.

Alderman Sysyn stated he is working with the Highway Department.

Alderman Vaillancourt asked so he would be covered under the insurance.

Alderman O'Neil answered I don't know a lot about the program but this was through a casual conversation with him. Again, I have had this since the Spring but we got caught up in the budgets and then the summer came and I didn't do anything with it.

Chairman Lopez stated well I gave one to the HR Director and she will follow-up on that.

Ms. Lamberton replied currently the City has a contract and I can't tell you with who off the top of my head to get people fit for work, etc. I think that the City Solicitor's Office may have a proposed RFP to go out and do that for all of the departments.

Chairman Lopez asked would that prevent us from what Alderman O'Neil wants to do.

Mr. Muller answered with respect to a presentation, no it would not.

Alderman O'Neil stated I believe he is already doing work with the Manchester Fire Department.

Chairman Lopez stated well we will invite him to one of our future meetings.

Ms. Lamberton stated you may want to invite Harry Ntapalis also.

Alderman Shea replied and Kevin O'Neil also.

There being no further business, on motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee